



UTILITY/DESIGN PATENT
Docket No. S85.2-9892

xx3

DECLARATION

As a below-named inventor, I(we) hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- original
- design
- supplemental
- national stage of PCT
- divisional
- continuation
- continuation-in-part (CIP)

INVENTORSHIP DECLARATION

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AN EXPANDABLE POROUS MESH BAG DEVICE AND METHODS OF USE FOR REDUCTION, FILLING, FIXATION AND SUPPORTING OF BONE

the specification of which:

- a) is being filed concurrently herewith
- b) was filed on July 20, 2001 and assigned Serial No. _____
- c) was filed as PCT International Application No. _____ filed on _____ and amended under PCT Article 19 on _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56.

In compliance with this duty there is attached an Information Disclosure Statement.
37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate or of any PCT international applications(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me having the same subject matter having a filing date before that of the application on which priority is claimed.

COPY OF PAPERS
ORIGINALLY FILED

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code, §119(e) of any United States provisional application identified below.

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1. 60/219,853	July 21, 2000
2.	

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S) UNDER 35 U.S.C. §120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international applications(s) designating the United States of America that is/are listed below.

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1.	
2.	
PCT APPLICATIONS DESIGNATING THE U.S.	
PCT APPLICATION NO.	PCT FILING DATE
3.	

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone calls and correspondence should be directed to: James M. Urzedowski, at Customer No. 490, Telephone: (952) 563-3000, Facsimile: (952) 563-3001.

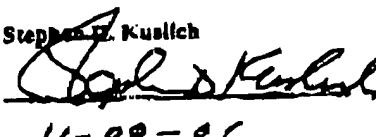
TC 1 P.02

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Inventor's signature:


11-09-01

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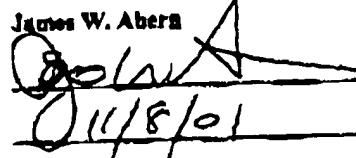
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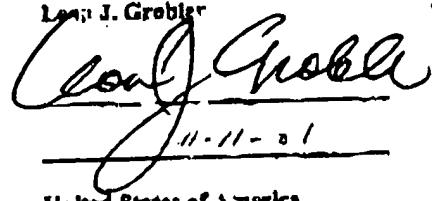
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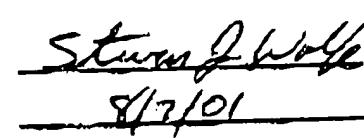
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Residence:
(if different than above)Residence:
(if different than above)



UTILITY/DESIGN PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Stephen D. Kuslich et al.

Title: AN EXPANDABLE POROUS MESH BAG DEVICE
AND METHODS OF USE FOR REDUCTION,
FILLING, FIXATION AND SUPPORTING OF
BONE

Filed: concurrently herewith

on 20 July 2001 and assigned
Serial No. 09/790,966

Commissioner for Patents
Washington, DC 20231

Docket No: S85.2-9892

POWER OF ATTORNEY FROM ASSIGNEE

As assignee of record of the entire interest of the above identified patent application, **THE SPINEOLOGY GROUP LLC.** hereby appoint all practitioners of **Customer No. 490** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I hereby authorize them to act and rely on instructions from, and to communicate directly with, the firm or person which sent this case to Vidas, Arrett & Steinkraus, P.A., unless or until I instruct Vidas, Arrett & Steinkraus P.A., in writing to the contrary.

Address all correspondence to at Customer Number 490.

Dated this 17 th day of September 2001.

(Company Name)

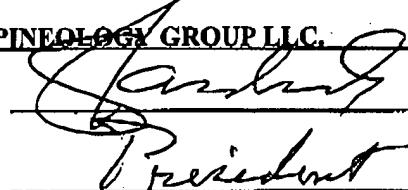
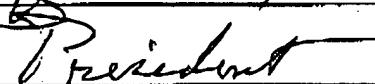
THE SPINEOLOGY GROUP LLC.

(Signature)
(typed name)

By:

(Title)

Its:


James J. Vidas

President

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